

MANDATE

S.D.N.Y.-N.Y.C.
10-cv-7296
McMahon, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 10th day of May, two thousand twelve.

Present:

Richard C. Wesley,
Raymond J. Lohier, Jr.,
Circuit Judges,
J. Garvan Murtha,*
District Judge.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:** _____
DATE FILED: May 14, 2012

Chikezie Ottah,

Plaintiff-Counter-Defendant-Appellant,

v.

12-1023-cv

1st Mobile Technologies,

Defendant-Counter-Claimant-Appellee.

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. However, this Court has determined *sua sponte* that the United States Court of Appeals for the Federal Circuit has exclusive jurisdiction over the district court's decision granting summary judgment in this patent infringement action. See 28 U.S.C. § 1295(a)(1). Upon due consideration, it is hereby ORDERED that the motion and the appeal are TRANSFERRED to the United States Court of Appeals for the Federal Circuit. See 28 U.S.C. § 1631; *Dorf & Stanton Commc'ns, Inc. v. Molson Breweries*, 56 F.3d 13, 15-16 (2d Cir. 1995).

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe Catherine O'Hagan Wolfe

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

*Judge J. Garvan Murtha, of the United States District Court for the District of Vermont, sitting by designation.

SAO-JY

MANDATE ISSUED ON 05/14/2012